

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

ESKER MARTIN, III

PLAINTIFF

v.

4:20CV01244-SWW-JTK

RAVER BROWNING

DEFENDANT

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Complaint against Defendant is DISMISSED without prejudice, for failure to state a claim upon which relief may be granted.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. The Court certifies that an in forma pauperis appeal from an Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 5th day of January, 2021.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE